

DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

**SADEKA SUID and ZUHAR SUID as father
and next of friend for ABDALLAH SUID,
a minor,**

2005-CV-0087

Plaintiffs,

v.

KMART CORPORATION,

Defendant.

TO: Lee J. Rohn, Esq.
Wilfredo A. Geigel, Esq.

ORDER GRANTING PLAINTIFFS' MOTION TO COMPEL

THIS MATTER came before the Court upon the Plaintiffs' Motion to Compel Defendant Kmart (Docket No. 99). The time for filing a response has expired.

In said motion, Plaintiffs claim that Defendant agreed to supplement its response to Plaintiffs' Demand For Production No. 7, specifically, that Defendant would produce a copy of its Loss Control Manual. Plaintiffs assert that Defendant has failed to produce the document. In support of their motion, Plaintiffs attached, as Exhibit 3, a copy of correspondence from counsel to counsel for Defendant, wherein counsel confirms Defendant's agreement.

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Having considered the premises and upon due consideration thereof and in the absence of any opposition, the Court will grant the motion.

Accordingly, it is now hereby **ORDERED**:

1. Plaintiffs' Motion to Compel Defendant Kmart (Docket No. 99) is

GRANTED.

2. Defendant shall, within ten (10) days from the date of entry of this order, serve upon counsel for Plaintiffs a copy of its Loss Control Manual.

ENTER:

Dated: August 21, 2008

/s/
GEORGE W. CANNON, JR.
U.S. MAGISTRATE JUDGE